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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/629,849

07/30/2003

Stuart Philip Stenton

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10/30/2007

HEWLETT PACKARD COMPANY

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INTELLECTUAL PROPERTY ADMINISTRATION

FORT COLLINS, CO 80527-2400

EXAMINER

VU, MICHAEL T

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

10/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/629,849

Applicant(s)

STENTON ET AL.

Examiner

Michael Vu

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2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/30/2003</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 12/30/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

3. The disclosure is objected to because of the following informalities: The specification need the sub-heading such Field of the Invention, Back Ground of Invention, Summary of the Invention, Detailed Description of the Embodiments etc.
Appropriate correction is required.

Drawings

4. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid

abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The Drawing should be labeled for each of the entities

Claim Objections

5. Claims 1-28 objected to under 37 CFR 1.75(i), where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. Appropriate correction is required. See MPEP 608.01 (m).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (US 2003/0212800) in view of Stewart (US 6,732,176).

Regarding **claims 1, 13-16, 19, 22, and 25**, Jones teaches a method a mobile terminal comprising a communication infrastructure (Figure #1) comprising: a cellular telecommunications network (Figure #1, Wireless Network #12) having a distribution of cell sites defining a cellular coverage of the network (Figure #3); a matrix of wireless local area networks (WLANs) each of which is connected to the cellular telecommunications network over a private data network (Figure #1-3, [0016-0039]), at least some of the WLANs in the matrix falling within the cellular coverage of the cellular telecommunications network [0004-0013];

But Jones does not clearly teach on a plurality of mobile communication devices having both cellular communications network and wireless LAN connectivity, wherein the WLANs making up the matrix are selectively activated upon a request from the cellular telecommunications network in dependence on a determination when a mobile communication device connected to the cellular telecommunication network may be able to access one or more specified wireless LANs.

However, Stewart teaches a system and method for providing access and/or roaming features on a network system. The network system includes a plurality of wireless and/or wired access points coupled to a network. A portable computing device (PCD) of a user may store identification information, in which uniquely indicates a network provider of a plurality of possible network providers. The identification information may also or instead indicate an access or privilege level of the user, and particularly teach the network communications, and more specifically to a system and

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method enabling a network infrastructure to support multiple network providers and/or customers of multiple network providers (See Col. 1, line 17 through Col. 6, line 59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jones, such that a plurality of mobile communication devices having both cellular communications network and wireless LAN connectivity, wherein the WLANs making up the matrix are selectively activated upon a request from the cellular telecommunications network in dependence on a determination when a mobile communication device connected to the cellular telecommunication network may be able to access one or more specified wireless LANs, to provide the portable device with enabling access levels within a different networks such as circuit network and/or packet network, and wireless local area network WLAN.

Regarding **claim 2**, Jones/Stewart teach an infrastructure according to Claim 1, wherein the matrix of wireless LANS are registered with a wireless Internet service provider (Col. 2, lines 6-20) of Stewart.

Regarding **claim 3**, Jones/Stewart teach an infrastructure according to Claim 1, wherein the private data network is a virtual private network (Figure #1, Network Provider #160) of Stewart.

Regarding **claim 4**, Jones/Stewart teach an infrastructure according to Claim 1, wherein wireless roaming between WLANs in the matrix is enabled (Col. 2, lines 6-20) of Stewart.

Regarding **claim 5**, Jones/Stewart teach an infrastructure according m Claim 1, wherein only WLANs within range of a mobile communication device are activated upon the request from the cellular telecommunication network (Col. 1, line 17 through Col. 3, line 67) of Stewart.

Regarding **claim 6**, Jones/Stewart teach an infrastructure according to Claim 1, wherein the wireless LANs in the matrix are selected from the group consisting of: 802.11a0 802.11b and 802.11e (Col. 1, line 17 through Col. 2, line 67) of Stewart.

Regarding **claim 7**, Jones/Stewart teach an infrastructure according to Claim 1, wherein the wireless Internet service provider comprises the cellular telecommunications network provider (Figure #1, Network Provider #160) of Stewart.

Regarding **claim 8**, Jones/Stewart teach an infrastructure according to Claim 1, wherein the mobile communications device is a battery operated normally-on device (Col. 1, line 17 through Col. 2, line 67) of Stewart.

Regarding **claim 9**, Jones/Stewart teach an infrastructure according to Claim 1, wherein the cellular telecommunications network provides low bandwidth services to the mobile communication devices and the matrix of WLANs provides high bandwidth services to the mobile communication devices (Col. 1, line 17 through Col. 2, line 67) of Stewart.

Regarding **claim 10**, Jones/Stewart teach an infrastructure according to Claim 1, wherein the cell sites am connected to a mobile telephone switching office (MTSO) connected to a public switched telephone network (PSTN) [0032-0042] of Jones.

Regarding **claims 11, 17, 20, and 23**, Jones/Stewart teach an infrastructure according to Claim 1, wherein the determination of whether the mobile communication device may be able to access the one or more specified wireless LANs is made in dependence on the location of a mobile communication device in a cell [0022-0039] of Jones.

Regarding **claims 12, 18, 21 and 24**, Jones/Stewart teach an infrastructure according to Claim 11, wherein the determination utilises location identifying features of the cellular telecommunication network [0077-0097] of Jones.

Regarding **claim 26** Jones/Stewart teach a cellular telecommunications network according to Claim 25 further adapted to activate the one or more specified wireless LANs (Figure #1, [0093-0097] of Jones.

Regarding **claim 27**, Jones/Stewart teach a cellular telecommunications network according to Claim 25, wherein a determination of whether the mobile communication device may be able to access the one or more specified wireless LANs is made in dependence on the location of a mobile communication device in a cell [0077-0097] of Jones.

Regarding **claim 28**, Jones/Stewart teach 8. A cellular telecommunications network according to Claim 27, wherein the cellular telecommunication network has location identifying features to determine the location of the mobile communication device within a cell and the determination utilises the location identifying features of the cellular telecommunication network [0022, 0079-0083] of Jones.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131. The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Michael Vu
Examiner

JEAN GELIN
PRIMARY EXAMINER

